IN THE UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

REGINALD T. GILBERTBEY C.A. No. 05-69
Plaintiff

v.

UNITED STATES OF AMERICA, ET AL
Defendants

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U.S. DISTRICT COURT

PLAINTIFFS' MOTION FOR APPOINTMENT OF COUNSEL

Pursuant to 28 USC §1915(e)(1), plaintiff moves for an order appointing counsel to represent him in this case. In support of this motion, plaintiff states:

1. Plaintiff cannot afford to hire a lawyer. He has requested leave of the court to proceed in forma pauperis, and it has been granted in this case.

2. Plaintiffs' imprisonment will greatly limit his ability to litigate this case. This case will likely involve substantial investigation, depositions and interviewing of witnesses, and discovery, involving security documents prohibited for prisoners to have access too. Also, the access to the prison law library is limited, and materials are very limited.

3. Plaintiff is currently suffering from the results of retaliation engendering Post Traumatic Stress Disorder (PTSD), which is hindering, inhibiting his abilities to normally function and articulate the technical and complex requirements of law.

4. Furthermore, plaintiff is treating this PTSD syndrome by voluntarily participating in Anger Management, C.O.D.E., Victims

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Empathy, and several other programs offered through Psychology Services Department at the United States Allenwood (USP). The Psychology Department staff also freely affords plaintiff one-on-one counseling freouently, due to plaintiffs' interaction with them. Plaintiff is intensily involved in such activities in an effort to stave off and overcome any permenant PTSD symptoms, and avoid the harmful side effects of medications. Additionally, plaintiff reasonably fears that any treatments provided by defendants in this case will increasingly be retalitory and harmful.

5. A trial in this case will likely involve conflicting testimony. A lawyer would assist plaintiff in the presentation of all preliminary matters, evidence, and the cross-examination of opposing witnesses.

6. This case is believed to be multi-jurisdictional and will reouire factual investigation that plaintiff can not perform due to his imprisonment.

7. Plaintiff currently suffering actual harm through retaliation vy defendants in this case, PTSD, and the inability to retrieve the necessary documents stolen, destroyed, and in possession of this court in the form of other prisoners affidavits who fear federal Bureau Of Prisons (BOP) officials retaliation, and previous filings forwarded to the court, which are safest with a lawyer: due to now plaintiff being informed of being charged copying fees in order to obtain such from the court. Said documents having remained in palintiffs' possession would have been subject to

theft, destruction, and confiscation by BOP officials. However currently plaintiff lacks the ability to completely correct and amend then file the necessary preliminary complaint(s) and documents. And appointment of a lawyer would in fact further justice.

Respectfully submitted, this 14th day of November, 2006.

Reginald T. gilbertBey
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file